

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 22, 2002

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux,
Deputy Clerk.

Each of the following:

B143384 People v. Rodriguez	B145466 People v. Radillo
B146170 People v. Clark	
B147720 People v. Pratt	
B148168 People v. Sasser	
B148190 People v. Sifuentes	
B148322 People v. Garcia	
B148370 People v. Chevez	
B148871 People v. Maxwell	
B149394 People v. Hall	
B149547 People v. Gamez	
B149555 People v. Ponce	
B149966 People v. Sanders	
B150043 Begalla v. Dept of Motor Vehicles	
B150093 People v. Alexander	
B154105 Lucretia G. v. S.C.L.A. (D.C.F.S., rpi)	
B154215 D.C.F.S. v. Ana E.	

Argument waived, cause submitted.

DIVISION ONE (Continued)

B148746 People
 v.
 Lockett

Merits:
Argued by Jeffrey Hans Leo for appellant and by Rori Ridley, deputy attorney general, for respondent. Cause submitted.

B144909 People
B152779 v.
 Naylor

Merits:
Argued by Marylou Hillberg for appellant and by Robert F. Katz, deputy attorney general, for respondent. Cause submitted.

Vogel (Miriam A.), J. leaves the bench.

B135404 Tab
 v.
 Wali

Merits:
Argued by C. Susan Keen for appellant and by Jeffrey F. Gersh for respondent. Cause submitted.

B142734 Stern
 v.
 Stern

Merits:
Argued by Robert L. Schibel for appellant and by Stephen A. Kolodny for respondent. Cause submitted.

DIVISION ONE (Continued)

B148496 Estate of Viola Z. Silberman
 v.
 Roe

Merits:

Argued by Robert N. Rigdon for appellant and by Karl de Costa for
respondent. Cause submitted.

Court adjourned.

DIVISION TWO

B144260 Compton Unified School District (Not for Publication)
 v.
 Universal Construction Maintenance Integration Company, Inc., et al.

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Doi Todd, J.

B140484 Markel et al. (Not for Publication)
 v.
 City of Los Angeles et al.

The judgment is reversed. Defendants are entitled to recover their costs on
appeal.

Boren, P.J.

We concur: Nott, J.
 Doi Todd, J.

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DIVISION TWO (Continued)

[illegible]

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Doi Todd, J.

B146008 Vargas
v.
Athena Assurance Company et al.

Filed order certifying opinion for publication.

B141613 Baltazar
v.
City of Los Angeles Police Department

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION FOUR

B147032 People (Not for Publication)
v.
Donald Ray Moffett

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

January 22, 2002-Continued

DIVISION FOUR (Continued)

B146508 Thomas (Certified for Publication)
v.
Gilliland

The judgment (order of dismissal) is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B140475 Prince
v.
Out Publishing, Inc.

Filed order denying petition for rehearing.

DIVISION FIVE

B148775 People (Not for Publication)
v.
Rodrigo Rangel

The judgment is modified to reflect that defendant is to receive 330 days of presentence credits, consisting of 287 days of actual credit and 43 days of presentence conduct credit. As modified, the judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION SIX

B146425 Ashworth (Not for Publication)
 v.
 Somogyi et al.

The judgment is affirmed. Costs to respondents.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B149964 People (Not for Publication)
 v.
 Gonzalez

The order is reversed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

B151077 People (Not for Publication)
 v.
 Halliburton

The order is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

January 22, 2002-Continued

DIVISION SIX (Continued)

B147909 People (Certified for Publication)
v.
Dyer

The judgment (order of commitment) is affirmed.

Coffee, J.

I concur: Gilbert, P.J.
I dissent: Perren, J. (Opinion)

B149748 Sullivan (Not for Publication)
v.
County of Ventura

The judgment of the trial court is affirmed. Costs are awarded to respondent.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B145819 Real (Not for Publication)
v.
Wal-Mart Stores, Inc.

The judgment is affirmed. Costs to respondent.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SIX (Continued)

B142188 Ark Telecommunications, Inc. (Not for Publication)
v.
State Farm Fire & Casualty Co.

The judgments are affirmed. Costs are awarded to respondents.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B149653 People (Not for Publication)
v.
Brouillette

The judgment (order of commitment) is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B147033 People (Certified for Publication)
v.
Kelly W.

The judgment as to count 3 is reversed, in all other respects it is affirmed.

Gilbert, P.J.

I concur: Perren, J.
I dissent: Yegan, J. (Opinion)

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SEVEN

B147213 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Carl C.
In re Christopher C.

Detention order affirmed, and the matter is remanded with directions.

Woods, J.

We concur: Johnson, Acting P.J.
Perluss, J.

B153345 Victoria P. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The petition is denied.

Perluss, J.

We concur: Johnson, Acting P.J.
Woods, J.

DIVISION SEVEN (Continued)

B141340 Robert W. Burrahm et al. (Not for Publication)
 v.
 IMPCO Technologies, Inc.

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B142194 Rosario Sanchez (Not for Publication)
 v.
 Morris D. Phillips

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, J.

We concur: Johnson, Acting P.J.
 Woods, J.

DIVISION EIGHT

B149942 People (Not for Publication)
 v.
 Santacruz

For the reasons set forth above, the judgment is reversed only as to the parole revocation fine. (Pen. Code, § 1202.45.) We also order the abstract of judgment modified to eliminate that fine. The clerk of the superior court is directed to prepare an amended abstract of judgment consistent with this decision, then deliver copies of the corrected abstract to the Department of Corrections. In all other respects, the judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.